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Attorney Docket No. 26689U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

LEE et al.

International Application No. PCT/KR2003/002081

Serial No. 10/529,169

International Filing Date: 09 October 2003 (09.10.2003)

Filed: March 24, 2005

For: NOVEL FULL-LENGTH GENOMIC RNA OF JAPANESE ENCEPHALITIS  
VIRUS, INFECTIOUS JEV CDNA THEREFROM, AND USE THEREOF

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

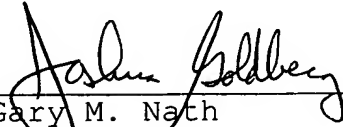
Submitted herewith for filing in the U.S. Patent and Trademark  
Office is the following:

- (1) Transmittal Letter;
- (2) Information Disclosure Statement;
- (3) PTO Form 1449 citing 12 references;
- (4) 12 references enclosed.

Respectfully submitted,

NATH & ASSOCIATES PLLC

By:

  
\_\_\_\_\_  
Gary M. Nath  
Registration No. 26,965  
Joshua B. Goldberg  
Registration No. 44,126  
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Date: May 3, 2005  
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GMN/JBG/dd/IDS.TL



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

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For: **NOVEL FULL-LENGTH GENOMIC RNA OF JAPANESE ENCEPHALITIS VIRUS,  
INFECTIOUS JEV CDNA THEREFROM, AND USE THEREOF**

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. § 1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

- [ X ] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- [ ] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311.

The enclosed statement is accompanied by [check one]:

- [ ] i. a certification in part (e) below as specified in 37 C.F.R. § 1.97(e), or
- [ ] ii. a check in the amount required by 37 C.F.R. § 1.17(p).
- [ ] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311, but before payment of the issue fee.
- [ ] Certification report(e) below; and
- [ ] a check in the amount as required by § 1.17(p).
- [ ] d. The enclosed statement is being filed pursuant to 37 C.F.R. § 1.97(i), for placement in the file.
- [ ] e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

[ ] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

[ ] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[ ] Appropriate certification is attached.

[ X ] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[ X ] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

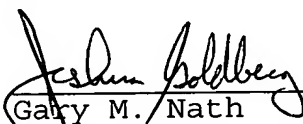
[ ] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:  
or Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,  
**NATH & ASSOCIATES**

By:

  
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Joshua B. Goldberg  
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Date: May 3, 2005

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FORM PTO-1449

## INFORMATION DISCLOSURE CITATION

Atty Docket  
26689USerial No.  
10/529,169Applicant  
Lee et al.Filing Date  
March 24, 2005Group Art Unit  
Not yet assigned

## FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub-Class	Translation
	AA	99/63095	9 Dec 1999	WO			n/a
	AB						

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AC	NCBI Accession No. U15763, Japanese encephalitis virus, <u>NIH</u> , 30 Mar 1995.
	AD	NCBI Accession No. U14163, Japanese encephalitis virus, <u>NIH</u> , 30 Mar 1994.
	AE	Shihyun, Y., et al. "A Novel in Vitro Replication System for Dengue Virus" <u>J. Biological Chemistry</u> , vol. 274, no. 47, pp. 33714-33722 (Nov. 1999).
	AF	Schlesinger, S., et al. "Alphavirus vectors for gene expression and vaccines", <u>Current Opinion in Biotechnology</u> , vol. 10, pp. 434-439, (1999).
	AG	Almazan, Fernando, "Engineering the largest RNA virus genome as an infectious bacterial artificial chromosome," <u>PNAS</u> , vol. 97, no. 10, pp. 5516-5521, (May 9, 2000).
	AH	Mishin, V.P., et al., "A 'minimal' approach in design of flavivirus infectious DNA", <u>Virus Research</u> , vol. 81, pp. 113-123, (2001).
	AI	Zhang, F., et al., "Amplification and cloning of the full-length genome of Japanese encephalitis virus by a novel long RT-PCR protocol in a cosmid vector" <u>Journal of Virological Methods</u> , vol. 96, pp. 171-182, (2001).
	AJ	Sumiyoshi, H., et al. "Characterization of a Highly Attenuated Japanese Encephalitis Virus Generated from Molecularly Cloned cDNA", <u>Journal of Infectious Diseases</u> , vol. 171, pp. 1144-1151, (May 1995).
	AK	Sumiyoshi, H., et al. "Infectious Japanese Encephalitis Virus RNA Can Be Synthesized from In Vitro-Ligated cDNA Templates", <u>Journal of Virology</u> , vol. 66, no. 9, pp. 5425-5431, (Sept. 1992).
	AL	Agapov, E.V., et al., "Noncytopathic Sindbis virus RNA vectors for heterologous gene expression" <u>Proc. Natl. Acad. Sci. USA</u> , vol. 95, pp. 12989-12994, (Oct 1998).
	AM	Frolov, I., et al., "Alphavirus-based expression vectors: Strategies and applications", <u>Proc. Natl. Acad. Sci. USA</u> , vol. 93, pp. 11371-11377, (Oct 1996).
	AN	
	AO	

Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609.  
 Draw line through citation if not in conformance and not considered.  
 Include copy of this form with next communication to Applicant.